

Serial No. 10/761,352
Docket No. US01-03047 (FUJI.051)

AMENDMENTS TO THE DRAWINGS:

The attached sheets of drawings includes changes to Figures 1 and 2. These sheets include an annotated version showing the changes and replacement for the original sheet that includes these two figures. The figures have been revised to add the "PRIOR ART" label, as requested by the Examiner.

Attachments: (1) Replacement Sheet
(1) Annotated Sheet Showing Changes

REMARKS

Claims 1-20 are all the claims presently pending in the application. Claims 2, 4, 10-14, 16, and 18 have been withdrawn from consideration, pending allowance of a generic claim.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1, 5, 6, 8, 9, 15, 19, and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by EP 0 887 783 to Malkin. Claims 3, 7, and 17 stand rejected under 35 U.S.C. § 103(a) as obvious over Malkin, further in view of US Patent 6,005,608 to Chakrabarti.

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention is directed to a stereoscopic image display apparatus. At least two linear image display devices respectively display linear images in response to image signals. A moving mechanism section periodically moves the at least two linear image display devices along at least two locus planes separated from each other and substantially parallel to each other.

Conventional methods for generating a stereoscopic image, such as discussed beginning in the second full paragraph on page 1 of the specification, have various problems discussed in the first full paragraph on page 2, such as being complicated and large or having a complicated manufacturing method.

The claimed invention, on the other hand, provides a bright and extremely clear stereoscopic image without using complicated optical system or an expensive light transmissible panel.

II. THE PRIOR ART REJECTIONS

The Examiner alleges that Malkin anticipates the claimed invention defined by claims 1, 5, 6, 8, 9, 15, 19, and 20, and, when modified by Chakrabarti, renders obvious the invention defined by claims 3, 7, and 17. Applicants submit, however, that there are elements of the claimed invention which are neither taught nor suggested by Malkin.

Specifically, the present invention is directed to a stereoscopic image display apparatus. Malkin does not provide the stereoscopic effect required by the present invention.

Applicants have added language to the independent claims to clarify this distinction. Hence, turning to the clear language of the claims, in Malkin there is no teaching or suggestion of: “A stereoscopic image display apparatus comprising: at least two linear image display devices for respectively displaying linear images in response to image signals; and a moving mechanism section for periodically moving the at least two linear image display devices along at least two locus planes separated from each other and substantially parallel to each other”, as required by claim 1. Independent claim 15 has similar language.

Relative to the urged modification of primary reference of Malkin by secondary reference Chakrabarti, Applicants submit that such modification clearly changes the principle of operation of the primary reference and, therefore, is prohibited under the holding of *In re Ratti*, 270 F.2d 819, 123 USPQ 349 (CCPA 1959): “*If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified then the teachings of the references are not sufficient to render the claims prima facie obvious.*” (see MPEP §2143.01).

That is, the apparatus in Malkin is based on a rotating disk, whereas Chakrabarti uses a pulley system. Moreover, Malkin has a plurality of display units on the rotating section, whereas Chakrabarti has a fixed display device on the stationary section. Applicants submit that these two references, therefore, cannot be combined, absent impermissible hindsight.

Therefore, Applicant submits that there are elements of the claimed invention that are not taught or suggest by Malkin, and that all claims are, therefore allowable over the references currently of record. Applicants, therefore, respectfully request that the Examiner reconsider and withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION

The Examiner requested that a "PRIOR ART" label be added to Figures 1 and 2. The enclosed drawing changes address this request. Accordingly, Applicants respectfully request that the Examiner withdraw this objection.

In view of the foregoing, Applicant submits that claims 1, 5, 6, 8, 9, 15, 19, and 20, all of the claims in the application under current evaluation, are patentably distinct over the prior art of record and are in condition for allowance. Moreover, since claims 1 and 15 are generic, Applicants also request that the withdrawn claims be rejoined. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

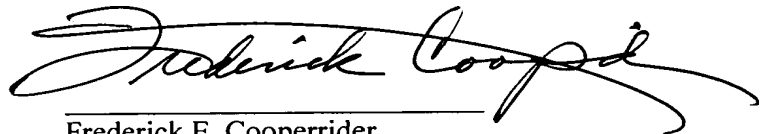
Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: _____

1/12/06



Frederick E. Cooperrider
Registration No. 36,769

McGinn Intellectual Property Law Group, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254



FIG. 1 (PRIOR ART)

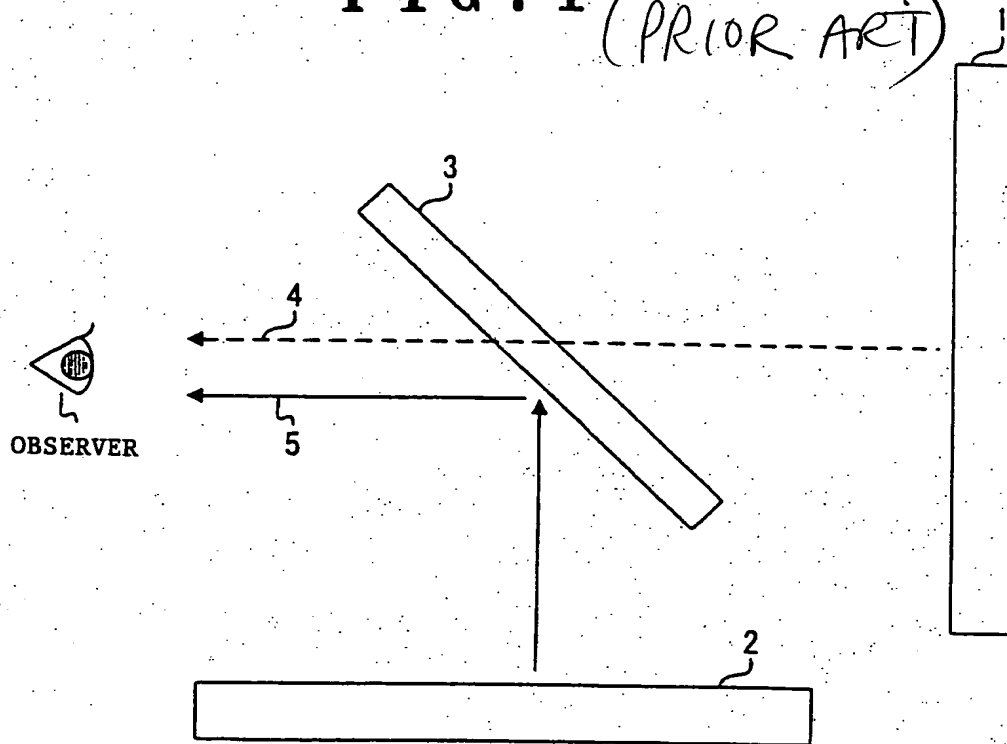


FIG. 2 (PRIOR ART)

